

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

**WILLIAM MACK McCARTNEY,** )

**Plaintiff,** )

**vs.** )

**Case No. CV 08-S-964-NE**

**THE CHAIN OF COMMAND OF  
MADISON COUNTY JAIL, et al.,** )

**Defendants.** )

**MEMORANDUM OF OPINION**

The magistrate judge filed a report and recommendation on November 21, 2008, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted under 28 U.S.C. § 1915A(b). No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be, and it hereby is, ADOPTED, and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed

for failing to state a claim upon which relief can be granted pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DONE this 23rd day of February, 2009.

A handwritten signature in black ink, reading "Lynwood Smith". The signature is written in a cursive style with a large initial "L".

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United States District Judge